

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

LIU WENFANG ,

Plaintiff,

v.

RUSSELL SYLVAN SOEHNER II,

Defendant.

ORDER

Case No. 15-cv-385-wmc

Plaintiff Liu WenFang has requested leave to proceed without prepaying the filing fee in this civil action for monetary and other relief. From the affidavit of indigency accompanying plaintiff's proposed complaint, the court cannot determine whether plaintiff qualifies for indigent status. The affidavit includes only a single page and is missing pages 1, 2, 4 and 5. Without the information from the entire affidavit I am unable to determine whether plaintiff qualifies for indigent status. Therefore, I will provide plaintiff with the opportunity to supplement the request for leave to proceed without paying the filing fee by completing the enclosed affidavit of indigency. When completing the affidavit, plaintiff should take care to show how basic necessities are paid, and include plaintiff's actual gross monthly income from all sources for the last twelve months.

ORDER

IT IS ORDERED that plaintiff Liu WenFang, may have until July 14, 2015, to amend and return the affidavit of indigency, taking particular care to show how basic necessities are paid, and include actual gross monthly income from all sources for the last twelve months. If plaintiff fails to provide this requested financial information, then the court will deny the request for leave to proceed without prepayment of the filing fee for failure to show indigency.

Entered this 24th day of June, 2015.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

Full name of plaintiff(s) or petitioner(s)

Case No. _____
(Provided by the clerk of court)

v.

Full name of defendant(s) or respondent(s)

**PETITION AND AFFIDAVIT TO PROCEED
WITHOUT PREPAYMENT OF FEES AND/OR COSTS**

I, _____, declare that I am the plaintiff or petitioner in the above-named action. In support of my request to proceed in forma pauperis, I declare that I am unable to pay the fees and/or costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion. I answer the following questions truthfully and under penalty of perjury (additional pages may be added, if necessary, to provide complete information):

I. Personal Information

1) Are you currently incarcerated? Yes No

If "No," go to question 2. Complete all sections.

If "Yes," answer questions (a), (b) & (c), skip to Section IV. Complete sections IV and V.

(a) State the place of your incarceration and provide your prisoner identification number:

(place)

(number)

(b) Are you employed at the institution? Yes No

(c) Do you receive any payment from the institution? Yes No

If you are a prisoner, attach a printout of your prison trust account statement showing transactions for the six-month period immediately preceding the filing of your complaint, motion, or petition and showing the balance of your release account. Prisoners who are permitted to file in forma pauperis must pay the full filing fee in installments.

(WIWD 12/07)

Personal Information - continued

- 2) Are you employed? Yes No
- 3) Are you currently married? Yes No
If "Yes," is your spouse employed? Yes No
- 4) Do you have any legal dependents (children/adults) whom you are responsible for supporting?
Yes No

If "Yes," list them below:

<u>First and Last Initials (For Minor Children Only) or Name</u>	<u>Relationship to You</u>	<u>Age</u>	<u>Amount of Support Provided Per Month</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

II. Income - If you are married, your answers ***must include your spouse's income.***

(When calculating income, you must include any salary, child support, public assistance, unemployment compensation, disability payments, life insurance payments, pensions, annuities, workers' compensation, stock dividends and interest, gifts, and inheritance, or other incoming monies.)

State your total *monthly* income? \$ _____

Provide the name of your employer(s): _____

State your spouse's total *monthly* income? \$ _____

State the amount of money you have received from any other source in the last twelve months (e.g., rent payments, pension or insurance payments, gifts, inheritance, disability or workers' compensation payments). Please attach an additional sheet if necessary.

<u>Source of income</u>	<u>Amount</u>
_____	\$ _____
_____	\$ _____

III. Expenses - If you are married and/or have dependents, *your expenses should also include your household's expenses.*

(When calculating household expenses, you may include groceries, clothing, medical costs, utilities which are not included in your rental payments, transportation, and insurance.)

1) Identify the following amounts that you pay per month:

Rent or Mortgage \$ _____

Car payment(s) \$ _____

Alimony and/or court-ordered child support \$ _____

Credit card payment(s) \$ _____

2) Do you have any other monthly expenses that you have not already identified?

Yes No

If "Yes," list them below:

<u>Expense</u>	<u>Amount</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____

3) What is the total amount of your monthly expenses? \$ _____

IV. Property - If you are married, your answers must *include your spouse's property.*

1) Do you own a car? Yes No If "Yes," list car(s) below:

<u>Make and Model</u>	<u>Year</u>	<u>Approximate Current Value</u>
_____	_____	\$ _____
_____	_____	\$ _____

2) Do you own your residence(s)? Yes No

If "Yes," state the approximate value(s). \$ _____

What is the amount of equity (assessed value of residence minus outstanding mortgage balance) in the residence(s)? \$ _____

Signature - Signed Under Penalty of Perjury